IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO: 25042 of 2004

Between:

The Management of Singareni Collieries Company Limited, Kothagudem, Khammam District, rep., by its Director (P, A & W).

..... PETITIONER

AND

1 Industrial Tribunal-I, Chandra Vihar, I Floor, M.J.Road, Hyderabad-500 001.
2 The Workmen of Singareni Collieries Company Limited, rep., by its

General Secretary, Singareni Mines and Engineering Works Union,

Kothagudem, Khammam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction, more particularly one in the nature of writ of certiorari calling for the records pertaining to the E.P.No.2 of 2004 in I.D.No.34/1984 dt.31-1-1987 on the file of the First respondent and to issue orders transferring the present E.P. i.e., EP No.2/2004 in I.d.no.34/1984 to the Central Govt.Industrial Tribunal which is also situated at Hyderabad and having jurisdiction to deal with the cases relating to the Central Govt.undertaking like the petitioner.

Counsel for the Petitioner: MR.K.SRINIVASA MURTHY

Counsel for the Respondent No.1: GP FOR LABOUR

Counsel for the Respondent No.2: MR.K.VASUDEVA REDDY

The Court at the stage of admission made the following:

ORDER:

This writ petition is filed by the Management of the Singareni Collieries Company Limited seeking to call for the records relating to the E.P.No.2 of 2004 in I.D.No.34 of 1984 and quash the same on the ground that the first respondent lacks jurisdiction, and it is only the Central Government Industrial Tribunal established in Hyderabad which has got the jurisdiction.

2. It is stated that both the parties participated in the EP proceedings before the first respondent and arguments were heard and matter was reserved for orders. It is also stated that all objections have been raised before the Executing Court. In view of the fact that the petitioner can raise all the objections before the Executing Court as to the lack of jurisdiction of the Executing Court and in fact raised, which are under consideration of the first respondent, the present writ petition is premature and is not maintainable, and therefore, the same is liable to be dismissed.

3. Accordingly, the writ petition is dismissed. No order as to costs.

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S.ANANDA REDDY, J

07th June, 2005

SKM

To

1 The Industrial Tribunal-I, Chandra Vihar, I Floor,
M.J.Road, Hyderabad-500 001.
2 The General Secretary, Workmen of Singareni Collieries Company

Limited, Singareni Mines and Engineering Works Union,

Kothagudem, Khammam District.

3 Two C.Cs. to G.P. for Labour, High Court Buildings, High Court of

A.P., Hyderabad (OUT)

4 2 CD copies

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